

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KATHERINE MOUSSOURIS, HOLLY
MUENCHOW, and DANA PIERMARINI, on
behalf of themselves and a class of those
similarly situated,

Plaintiffs,

v.

MICROSOFT CORPORATION,

Defendant.

Case No. 2:15-cv-01483-JLR

**STIPULATION AND ~~PROPOSED~~
ORDER TO SEAL ORDER DENYING
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION (DKT. NO. 504)**

STIPULATION AND ~~PROPOSED~~ ORDER TO
SEAL ORDER DENYING CLASS
CERTIFICATION
Case No. 2:15-CV-01483-JLR

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1 On June 25, 2018, this Court issued an Order Denying Plaintiffs' Motion for Class
 2 Certification ("Order"). Dkt. No. 504. The Court directed the Clerk to provisionally file this
 3 Order under seal and ordered the parties to meet and confer regarding the need for redaction.
 4 *Id.* at 68. The Court further ordered the parties to jointly file a statement within ten days of the
 5 date of the Order to indicate any need for redaction. *Id.*

6 STIPULATION

7 Pursuant to the Court's Order, Plaintiffs Katherine Moussouris, Holly Muenchow, and
 8 Dana Piermarini, and Defendant Microsoft Corporation, by and through their respective
 9 counsel, stipulate and agree as follows:

10 The bulk of this Court's Order may be filed publicly. The lone exception concerns
 11 discrete portions that reveal certain information regarding ongoing OFCCP proceedings. *See*
 12 Dkt. No. 504 at 14:2-7, 14 at n.3, and 31 at n.9. As Microsoft explained in its sealing
 13 submissions, this material—concerning ongoing communications and conciliation efforts with
 14 a government agency—should remain confidential. Dkt. Nos. 269 at 8:8-9:15; 280 at 2:11-
 15 4:2; 358 at 6:10-7:3; and 452 at 5:1-7. The Special Master agreed with Microsoft's position
 16 and granted Microsoft's requests to seal information regarding OFCCP proceedings; in turn,
 17 this Court adopted the Special Master's Reports and Recommendations. Dkt. Nos. 351 at
 18 20:3-21:7, 27:5-9, 29:9-14, and 35:21-27; 369; 463 at 6:18-22 and 9:5-8; 490. In accordance
 19 with these rulings, OFCCP-related references in the parties' filings to date have been redacted,
 20 *see e.g.*, Dkt. No. 381 at i:1-12, 8:4, 10:15-11:6, 11:12-13:2; 476 at 24:8-9, 24:11-13, and the
 21 parties agree that those portions of the Court's class certification order should likewise be
 22 redacted. For the Court's convenience, a copy of the order with the relevant redactions is
 23 attached as Exhibit A.

24 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

1 Dated: July 5, 2018

2 By: *s/Michael Subit*
3 *s/Kelly M. Dermody*
4 *s/Anne B. Shaver*
5 *s/Michael Levin-Gesundheit*
6 *s/Tiseme Zegeye*
7 *s/Sharon M. Lee*
8 *s/Rachel J. Geman*
9 *s/Adam T. Klein*
10 *s/Ossai Miazad*
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Attorneys for Defendant

Dated: July 5, 2018

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STIPULATION AND ~~PROPOSED~~ ORDER TO
SEAL ORDER DENYING CLASS
CERTIFICATION

Case No. 2:15-CV-01483-JLR

CERTIFICATE OF SERVICE

I hereby certify that on July 5, 2018, I caused the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of the filing to all counsel of record.

DATED: July 5, 2018

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**~~PROPOSED~~ ORDER GRANTING
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DENYING PLAINTIFFS' MOTION
FOR CLASS CERTIFICATION (DKT.
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**~~PROPOSED~~ ORDER GRANTING STIPULATION
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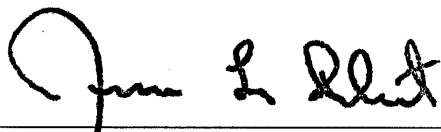
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1 This matter comes before the Court on the parties' Stipulation to Seal Order Denying
2 Plaintiffs' Class Certification (Dkt. No. ⁵⁰⁶~~504~~) ("Stipulation"). Having considered the
3 stipulation and all other matters properly before the Court, and compelling reasons appearing
4 therefore, the Court rules as follows:

5 **IT IS HEREBY ORDERED THAT** the parties' Stipulation is **GRANTED**. ^(Dkt. #506.) The
6 Order Denying Plaintiffs' Class Certification (Dkt. No. 504) shall remain sealed at page 14
7 lines 2-7, page 14 at footnote 3, and page 31 at footnote 9.

8
9 **IT IS SO ORDERED.**

10 DATED this 6th day of JULY, 2018.


The Honorable James L. Robart
UNITED STATES DISTRICT COURT JUDGE

1 Dated: July 5, 2018

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4 *s/Anne B. Shaver*
5 *s/Michael Levin-Gesundheit*
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